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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 06-0505 JSW
)	
Plaintiff,)	
)	
v.)	PROPOSED ORDER AND
)	STIPULATION EXCLUDING TIME
)	UNDER THE SPEEDY TRIAL ACT
ANTONIO MELENDEZ-TORRES,)	
aka Antonio Torres Melendez,)	
)	
Defendant.)	

The parties stipulate and agree, and the Court finds and holds, as follows:

1. The parties appeared on the instant matter May 18, 2006 for defendant's initial appearance on the complaint. The parties thereafter appeared in front of the Honorable Edward M. Chen on July 17, 2006 for defendant's arraignment on the Indictment. On July 17, 2006, the matter was continued to July 27, 2006 for initial appearance before the Honorable Jeffrey S. White.

2. On July 17, 2006, Assistant Public Defender Steven G. Kalar, who represents the defendant, requested an exclusion of time from July 17, 2006 to July 27, 2006, based on effective preparation and continuity of counsel. The defendant agreed to an exclusion of time under the Speedy Trial Act. The parties agree that the time from July 17, 2006 to July 27, 2006 should be

1 excluded in computing the time within which an information or indictment must be filed. See 18
2 U.S.C. § 3161(h)(8)(A) and (B)(iv).

3 3. In light of the foregoing facts, the failure to grant the requested exclusion would
4 unreasonably deny counsel for the defense the reasonable time necessary for effective
5 preparation, taking into account the exercise of due diligence. See id. The ends of justice would
6 be served by the Court excluding the proposed time period. These ends outweigh the best
7 interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

8 4. For the reasons stated, the time period from July 17, 2006 to July 27, 2006 is excluded
9 from the calculation of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A).

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11 IT IS SO STIPULATED.

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13 DATED: July 21, 2006

Respectfully Submitted,

14
15 /S/

NAHLA RAJAN
Special Assistant United States Attorney

16
17 DATED: August 7, 2006

18 /S/

STEVEN G. KALAR
Counsel for Antonio Melendez-Torres

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21 DATED: August 10, 2006

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HONORABLE JUDGE M. CHEN
United States District Court
NORTHERN DISTRICT OF CALIFORNIA
IT IS SO ORDERED
Judge Edward M. Chen